

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jalil ORAEE
Title: UPGRADING NETWORKED DEVICES
Appl. No.: 10/549,292
Filing Date: 09/16/2005
Examiner: Unassigned
Art Unit: Unassigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

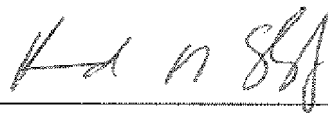
Applicant is in receipt of the Notification of Missing Requirements mailed February 7, 2006. The notice requests the submission of the Declaration and Power of Attorney document. Applicant clarifies that the executed Declaration and Power of Attorney document was submitted to the US Patent and Trademark Office on November 14, 2005, as evidenced by the attached Image File Wrapper printout. Also attached is a copy, for your convenience, of the Transmittal letter, including the executed Declaration and Power of Attorney document.

In view of the above, Applicant requests that the US Patent Office issue a Notification of Acceptance, which indicates a completion of the requirements for acceptance under 35 USC 371, as November 14, 2005.

Respectfully submitted,

Date February 27, 2006

By



FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5582
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Howard N. Shipley
Attorney for Applicant
Registration No. 39,370



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.

10/549,292

FIRST NAMED APPLICANT

Jalil Oraee

ATTY. DOCKET NO.

053694-0129

INTERNATIONAL APPLICATION NO.

PCT/GB04/00915

I.A. FILING DATE

03/04/2004

PRIORITY DATE

03/20/2003

22428
 FOLEY AND LARDNER LLP
 SUITE 500
 3000 K STREET NW
 WASHINGTON, DC 20007

CONFIRMATION NO. 5133

371 FORMALITIES LETTER



OC000000017931585

Date Mailed: 02/07/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/16/2005
- Copy of the International Search Report filed on 09/16/2005
- Preliminary Amendments filed on 09/16/2005
- Information Disclosure Statements filed on 09/16/2005
- U.S. Basic National Fees filed on 09/16/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,292	PCT/GB04/00915	053694-0129



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10/549,292

Upgrading networked devices

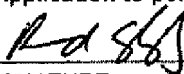
Select New Case	Application Data	Transaction History	Image File Wrapper	Continuity Data	Foreign Priority	Address Attorney
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This application is officially maintained in electronic form. To View: Click the document icon. To Print: Check the desired document(s) and click StartDownload.

Available Documents

Mail Room	Date	Document Description	Document Category	Page
		Notice of DO/EO Missing Requirements Mailed	PROSECUTION	
	02-07-2006			
		Miscellaneous Incoming Letter	PROSECUTION	
	11-14-2005			
		Oath or Declaration filed	PROSECUTION	
	11-14-2005			
		Miscellaneous Internal Document	PROSECUTION	
	09-16-2005			
		Fee Worksheet (PTO-875)	PROSECUTION	
	09-16-2005			
		Fee Worksheet (PTO-875)	PROSECUTION	
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		Claims Worksheet (PTO-2022)	PROSECUTION	
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		Specification	PROSECUTION	
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		Fee Worksheet (PTO-875)	PROSECUTION	
	09-16-2005			
		Preliminary Amendment	PROSECUTION	
	09-16-2005			
		Claims	PROSECUTION	
	09-16-2005			
		Applicant Arguments/Remarks Made in an Amendment Information	PROSECUTION	
	09-16-2005			
		Disclosure Statement (IDS) Filed	PROSECUTION	
	09-16-2005			

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 053694-0129
INTERNATIONAL APPLICATION NO. PCT/GB2004/000915		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/549,292
INTERNATIONAL FILING DATE 03/04/2004	PRIORITY DATE CLAIMED 03/20/2003	
TITLE OF INVENTION UPGRADING NETWORKED DEVICES		
APPLICANT(S) FOR DO/EO/US Jalil ORAE		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern other document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement, Int'l Search Report and PTO/SB/08 under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825		
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input type="checkbox"/> Other items or information:		

U.S. APPLICATION NO. (if known, see 37 CFR. 1.5) 10/549,292		INTERNATIONAL APPLICATION NO. PCT/G82004/000915		ATTORNEY'S DOCKET NUMBER 053694-0129	
The following fees have been submitted:					
21. <input type="checkbox"/> Basic national fee \$300				\$	0.00
22. <input type="checkbox"/> Examination fee				\$	0.00
If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100					
All other situations \$200					
23. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100					
International Search Report prepared and provided to the Office \$400					
All other situations \$500				\$	0.00
TOTAL OF ABOVE 21, 22 and 23 =				\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
13	- 100 = 0 /50 =	0	x \$250.00	\$	0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	11 - 20 = 0		x \$ 50.00	\$	0.00
Independent Claims	5 - 5 = 0		x \$ 200.00	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	0.00
SUBTOTAL =				\$	0.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	0.00
				Amount to be refunded:	
				charged:	
a. <input type="checkbox"/> A check in the amount of \$ 0.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner LLP Customer Number: 22428			 SIGNATURE Howard N. Shipley NAME 39,370 REGISTRATION NUMBER		

USA

N.87692B

Attorney's Docket No.

**RULE 63 (37 C.F.R. § 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As below named inventor(s), I/we hereby declare that

This declaration is of the following type:

- | | | |
|---|---------------------------------------|---|
| <input type="checkbox"/> original | <input type="checkbox"/> design | <input type="checkbox"/> supplemental |
| <input checked="" type="checkbox"/> national stage of PCT | | |
| <input type="checkbox"/> divisional | <input type="checkbox"/> continuation | <input type="checkbox"/> continuation-in-part |

My/our residence, post office address and citizenship are as stated below next to my/our name.

I/we believe I/we am/are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

UPGRADING NETWORKED DEVICES

the specification of which (check one)

- ☐ is attached hereto
- ☐ was filed on _____
in the United States Patent and Trademark Office as Application Serial No. _____
and was amended on _____ (if applicable)
- ☒ was described and claimed in PCT International Application No. PCT/GB04/00915
filed on 4 Mar 2004
and as amended under PCT Article 19 on _____ (if any)

I/we hereby state that I/we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I/we acknowledge the duty to disclose information which is material to patent ability as defined in 37 C.F.R. § 1.56.

I/we hereby claim foreign priority benefits under 35 U.S.C § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT International Application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application on which priority is claimed:

COMBINED DECLARATION AND POWER OF ATTORNEY**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119**

Application No.	Country	Filing Date	Priority Claimed	
			Yes	No
0306461.5	GB	20 Mar 2003	X	
PCT/GB04/00915		4 Mar 2004		

I/we hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional Application(s) listed below:

UNITED STATES PROVISIONAL APPLICATION(S)

Application No.	Filing Date

I/we hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s) or § 365(c) of any PCT International Application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I/we acknowledge the duty to disclose information which is material to patent ability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national PCT international filing date of this application.

PRIOR UNITED STATES/PCT INTERNATIONAL APPLICATION(S)

Application No.	Filing Date	Status (patented, pending/abandoned)
PCT/GB04/00915	4 Mar 2004	

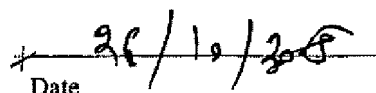
I/we hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

**Foley & Lardner LLP, Washington Harbour 3000 K Street N W Suite 500 Washington, D C 20007-5143
United States of America**

CUSTOMER NUMBER 22428

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C § 1001 and that such willful false statements may jeopardise the validity of the application or any patent issued thereon.


Inventors Signature


Date

Full name of first/sole inventor	Jalil ORAAE
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Residence(City)	Oxfordshire the United Kingdom
Post Office Address	Oxford Semiconductor Limited 25 Milton Park Abingdon Oxfordshire OX14 4SH United Kingdom